

07.24.14-PEPPER-CA**DEMAND TO PRESERVE EVIDENCE****Transmission Status****LEMON GROVE, CA - 911 COMM. DISPATCH****Your transmission has completed.**

DOC Identifier : 73517888

Fax Number : 18582781752

Recipient : 911 Comm. Dispatch ? Lemon Grove Substation

Status Classification : "Success"

Status Outcome : "Success"

Last Attempt Date : 11/03/2014

Last Attempt Time : 18:11:38

Pages Scheduled : 10

Pages Sent : 10

Baud Rate : 26400

Duration (in seconds) : 183

Number of Retries : 1

Remote CSID : "8585653409"

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Kenneth 'Ken' Stetler

Phone: 619-315-4139
Fax: 8666463475

Fax

To: 911 Comm. Dispatch ? Lemon Grove Substation

From: Kenneth 'Ken' Stetler

Fax: 18582781752

Pages: 10

Re: Re: Notice Preserve Eviden

Date: November 03, 2014

To: Custodian of Records / Responsible Agent

Demand Notice to Preserve Information of Records and Cease Destruction.

Thank you,

Ken Stetler
califdune@yahoo.com

1601 Fairfax Drive, Lemon Grove, CA 91945

07.24.14-PEPPER-CA**DEMAND TO PRESERVE EVIDENCE****Transmission Status****CHULA VISTA, CA - ANIMAL CARE FACILITY****Your transmission has completed.**

DOC Identifier : 73535322
Fax Number : 16194762478
Recipient : City Chula Vista, CA-Animal Care Facility (CVACF)
Status Classification : "Success"
Status Outcome : "Success"
Last Attempt Date : 11/03/2014
Last Attempt Time : 19:23:24
Pages Scheduled : 10
Pages Sent : 10
Baud Rate : 24000
Duration (in seconds) : 189
Number of Retries : 1
Remote CSID : "6194762478"

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Kenneth 'Ken' Stetler

Phone: 619-315-4139
Fax: 8666463475

Fax

To: City Chula Vista, CA-Animal Care Facility (CVACF) **From:** Kenneth 'Ken' Stetler

Fax: 16194762478 **Pages:** 10

Re: Notice Preserve Evidence **Date:** November 03, 2014

To: Custodian of Records / Responsible Agent

Demand Notice to Preserve Information of Records and Cease Destruction.

Thank you,

Ken Stetler
califdune@yahoo.com

1601 Fairfax Drive, Lemon Grove, CA 91945

07.24.14-PEPPER-CA**DEMAND TO PRESERVE EVIDENCE****Transmission Status****CHULA VISTA, CA - CITY ATTORNEY****Your transmission has completed.**

DOC Identifier : 73515884

Fax Number : 16194095823

Recipient : City of Chula Vista, CA - City Attorney's Office

Status Classification : "Success"

Status Outcome : "Success"

Last Attempt Date : 11/03/2014

Last Attempt Time : 18:04:14

Pages Scheduled : 10

Pages Sent : 10

Baud Rate : 24000

Duration (in seconds) : 182

Number of Retries : 1

Remote CSID : "6194095823"

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Kenneth 'Ken' Stetler

Phone: 619-315-4139
Fax: 8666463475

Fax

To: City of Chula Vista, CA - City Attorney's Office

From: Kenneth 'Ken' Stetler

Fax: 16194095823

Pages: 10

Re: Re: Notice Preserve Eviden

Date: November 03, 2014

To: Custodian of Records / Responsible Agent

Demand Notice to Preserve Information of Records and Cease Destruction.

Thank you,

Ken Stetler
califdune@yahoo.com

1601 Fairfax Drive, Lemon Grove, CA 91945

07.24.14-PEPPER-CA**DEMAND TO PRESERVE EVIDENCE
LEMON GROVE, CA - CITY ATTORNEY****Your transmission has completed.**

DOC Identifier : 73516740
Fax Number : 16198253804
Recipient : City of Lemon Grove, CA - City Attorney's Office
Status Classification : "Success"
Status Outcome : "Success"
Last Attempt Date : 11/03/2014
Last Attempt Time : 18:07:26
Pages Scheduled : 10
Pages Sent : 10
Baud Rate : 31200
Duration (in seconds) : 170
Number of Retries : 1
Remote CSID : "6198253804"

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Kenneth 'Ken' Stetler

Phone: 619-315-4139
Fax: 8666463475

Fax

To: City of Lemon Grove, CA - City Attorney's Office

From: Kenneth 'Ken' Stetler

Fax: 16198253804

Pages: 10

Re: Re: Notice Preserve Eviden

Date: November 03, 2014

To: Custodian of Records / Responsible Agent

Demand Notice to Preserve Information of Records and Cease Destruction.

Thank you,

Ken Stetler
califdune@yahoo.com

1601 Fairfax Drive, Lemon Grove, CA 91945

07.24.14-PEPPER-CA**DEMAND TO PRESERVE EVIDENCE****Transmission Status****SAN DIEGO, CA - CITY ATTORNEY****Your transmission has completed.**

DOC Identifier : 73514073

Fax Number : 16192367215

Recipient : City of San Diego, CA - City Attorney's Office

Status Classification : "Success"

Status Outcome : "Success"

Last Attempt Date : 11/03/2014

Last Attempt Time : 18:10:35

Pages Scheduled : 7

Pages Sent : 7

Baud Rate : 7200

Duration (in seconds) : 886

Number of Retries : 3

Remote CSID : "ÿÿÿÿ "

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Kenneth 'Ken' Stetler

Phone: 619-315-4139
Fax: 8666463475

Fax

To: City of San Diego, CA - City Attorney's Office

From: Kenneth 'Ken' Stetler

Fax: 16192367215

Pages: 7

Re: Re: Notice Preserve Eviden

Date: November 03, 2014

To: Custodian of Records / Responsible Agent

Demand Notice to Preserve Information of Records and Cease Destruction.

To: Custodian of Records / Responsible Agent

Demand Notice to Preserve Information of Records and Cease Destruction.

Thank you,

Ken Stetler
califdune@yahoo.com

1601 Fairfax Drive, Lemon Grove, CA 91945

07.24.14-PEPPER-CA**DEMAND TO PRESERVE EVIDENCE****Transmission Status****SAN DIEGO, CA COUNTY - COUNTY COUNSEL****Your transmission has completed.**

DOC Identifier : 73517149

Fax Number : 16195316005

Recipient : San Diego County, CA ? Office of County Counsel

Status Classification : "Success"

Status Outcome : "Success"

Last Attempt Date : 11/03/2014

Last Attempt Time : 18:08:51

Pages Scheduled : 10

Pages Sent : 10

Baud Rate : 24000

Duration (in seconds) : 198

Number of Retries : 1

Remote CSID : "16195316005"

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Kenneth 'Ken' Stetler

Phone: 619-315-4139
Fax: 8666463475

Fax

To: San Diego County, CA ? Office of County Counsel

From: Kenneth 'Ken' Stetler

Fax: 16195316005

Pages: 10

Re: Re: Notice Preserve Eviden

Date: November 03, 2014

To: Custodian of Records / Responsible Agent

Demand Notice to Preserve Information of Records and Cease Destruction.

Thank you,

Ken Stetler
califdune@yahoo.com

1601 Fairfax Drive, Lemon Grove, CA 91945

07.24.14-PEPPER-CA**DEMAND TO PRESERVE EVIDENCE****Transmission Status****SAN DIEGO, CA POLICE DEPARTMENT - CHIEF OF POLICE****Your transmission has completed.**

DOC Identifier : 73519045

Fax Number : 16195312530

Recipient : San Diego, CA Police Dept (SDPD) ? Chief of Police

Status Classification : "Success"

Status Outcome : "Success"

Last Attempt Date : 11/03/2014

Last Attempt Time : 18:15:55

Pages Scheduled : 10

Pages Sent : 10

Baud Rate : 14400

Duration (in seconds) : 359

Number of Retries : 1

Remote CSID : "619 531 2530"

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Kenneth 'Ken' Stetler

Phone: 619-315-4139
Fax: 8666463475

Fax

To: San Diego, CA Police Dept (SDPD) ? Chief of Police

From: Kenneth 'Ken' Stetler

Fax: 16195312530

Pages: 10

Re: Re: Notice Preserve Eviden

Date: November 03, 2014

To: Custodian of Records / Responsible Agent

Demand Notice to Preserve Information of Records and Cease Destruction.

Thank you,

Ken Stetler
califdune@yahoo.com

1601 Fairfax Drive, Lemon Grove, CA 91945

07.24.14-PEPPER-CA**DEMAND TO PRESERVE EVIDENCE**
SAN DIEGO, CA COUNTY - SHERIFF**Transmission Status****Your transmission has completed.**

DOC Identifier : 73520204
Fax Number : 18589742133
Recipient : San Diego County, Sheriff William D. Gore
Status Classification : "Success"
Status Outcome : "Success"
Last Attempt Date : 11/03/2014
Last Attempt Time : 18:20:05
Pages Scheduled : 10
Pages Sent : 10
Baud Rate : 14400
Duration (in seconds) : 322
Number of Retries : 1
Remote CSID : "8589742133"

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Kenneth 'Ken' Stetler

Phone: 619-315-4139
Fax: 8666463475

Fax

To: San Diego County, Sheriff William D. Gore

From: Kenneth 'Ken' Stetler

Fax: 18589742133

Pages: 10

Re: Re: Notice Preserve Eviden

Date: November 03, 2014

To: Custodian of Records / Responsible Agent

Demand Notice to Preserve Information of Records and Cease Destruction.

Thank you,

Ken Stetler
califdune@yahoo.com

1601 Fairfax Drive, Lemon Grove, CA 91945

Demand Notice to Preserve Information of Records and Cease Destruction

Kenneth Stetler
1601 Fairfax Drive
Lemon Grove, CA 91945
Phone: 619-315-4139 | Fax: 866-646-3475 | Email: califdune@yahoo.com

November 3, 2014

City of San Diego - City Attorney's Office

City Attorney Jan Goldsmith
1200 Third Ave., Suite 1620
San Diego, CA 92101
Phone: 1-619-236-6220 | Fax: 1-619-236-7215

City of Lemon Grove, CA - City Attorney's Office

City Attorney Mike James
322 Main Street
Lemon Grove, CA 91945
Phone: 619-825-3814,3914 | Fax: 619-825-3804

San Diego Police Dept. (SDPD) – Chief of Police

Police Chief, Shelley Zimmerman
1401 Broadway, MS 700
San Diego, CA 92101
Phone: 1-619-531-2777 | Fax: 1-619-531-2846

San Diego County, CA – Office of County Counsel

County Administration Center
1600 Pacific Highway, Room 355
San Diego, CA 92101
Phone: 1-619-531-5244 | Fax: 1-619-531-6005

City of Chula Vista - City Attorney's Office

City Attorney, Glen R. Googins
276 Fourth Avenue
Chula Vista, CA 91910
Phone: 1-619-691-5037 | Fax: 1-619-409-5823

San Diego County, Sheriff William D. Gore

John F. Duffy Administrative Center
9621 Ridgehaven Court
San Diego, CA 92123
Phone: 1-858-974-2222 | Fax: 1-858-974-~~2059~~
2133

City Chula Vista, CA - Animal Care Facility (CVACF)

130 Beyer Way
Chula Vista, California 91911
Phone: 1-619-691-5123 | Fax: ~~1-619-482-8472~~
1-619-476-2478

911 Comm. Dispatch – Lemon Grove Substation

3240 Main Street
Lemon Grove, CA 91945
Phone: 1-858-565-5200 | Fax: 1-858-278-1752

RE: Preservation and Information/Records Retention Letter regarding the July 24, 2014 officer-involved shooting of two (2) family pets, Pepper and Danni, belonging to Kenneth 'Ken' Stetler

Dear Custodian of Records / Responsible Agent:

This notice is in reference to an officer-involved shooting incident that occurred on July 24, 2014 at approximately 6:30pm outside of my home between the 7600-7700 block of Lansing Street when my dogs, Pepper and Danni, were shot by Officer Slate or Slater (Badge #67673) from the San Diego Police Department (SDPD) ("Incident"). Pepper sustained fatal gunshot wounds, was deemed SDPD evidence, and transported to

the City of Chula Vista Animal Control Facility. Danni survived but has required surgery and ongoing follow-up medical care. The incident literally occurred on Lansing Street just a few feet from the Lansing (7700) /Braddock (1400) Street Sign. If necessary, a live news report can be made available upon request to assist with your search for the incident in your records.

The incident is referenced by the SDPD as the following:

SDPD Incident Location: 1464 Braddock Street, San Diego, CA 92114

SDPD Dispatch Incident Number: 14070046919

SDPD Records Case Number: 14030093

My name is Kenneth Stetler and this letter serves as a formal request for the preservation of any and all evidence, information, records, documents, photos, audio or video recordings, paper or electronic data, and/or other tangible items pertaining or relevant to or property discoverable (the "Preserved Information") to an officer-involved shooting incident that occurred on July 24, 2014 at approximately 6:30pm between the 7600-7700 block of Lansing Street when my dogs, Pepper and Danni, were shot by Officer Slate/Slater (Badge# 67673) from the San Diego Police Department. You are hereby given further notice that Preserved Information is not to be destroyed, concealed or altered in any manner whatsoever, and that any ongoing processing of document destruction involving such Preserved Information must cease immediately.

At this preliminary stage, I seek to obtain information which may provide additional insight regarding (without limitation) to how the Incident occurred, policies and procedures involved in the Incident, why Officer Slate/Slater (Badge# 67673) acted so cruelly towards an otherwise non-threatening family pet, and why he exercised such poor and reckless judgment with his sidearm, and who may be held responsible for my damages. Please understand that, by virtue of your receipt of this letter, you have been identified as a potential defendant in legal action which may be imminent. As of this writing, no lawsuit has been filed. Hopefully, with open and honest dialogue and exchange of information, legal action can be avoided.

Please be advised that by this letter, you are hereby given notice and under a legal duty to maintain, preserve, retain, protect, and not to destroy, conceal or alter any paper or electronic files and other data generated by and/or stored on your computers, recording devices and storage media (e.g., hard disks, floppy disks, tapes, backup tapes, hard drives), or any other electronic data, such as email or voice mail that relate to the Incident. As you know, your failure to comply with the preservation and retention of the evidence outlined can result in severe sanctions (and liability in tort) being imposed by a court of law for spoliation of evidence or potential evidence.

Preservation of information, documents, and evidence means taking reasonable steps to:

- (a) ensure that relevant documents (including electronically stored information) are not destroyed, lost or relinquished to others, either intentionally, or inadvertently such as through the implementation of an ordinary course document retention/destruction policy;
- (b) ensure that relevant documents are not modified – an issue that arises particularly in the case of electronically stored information (which may be modified by the simple act of accessing the information), and in the case of documents used on an ongoing basis in the operation of the business; and
- (c) ensure that relevant documents remain accessible – again, an issue that arises particularly in the case of electronically stored information, which may require particular forms of software or hardware to remain readable.

I anticipate requesting from you a number of documents and things, including files stored on your recording devices, email servers, computers and computer storage media that relate to the Incident. In order to avoid spoliation, you will need to provide the data requested on the original media. Do not reuse any media to provide this data.

Although I may bring a motion for an order preserving documents and things from destruction or alteration, your obligation to preserve documents and things for discovery and/or public records law requests in this case arises in law and equity independently from any order on such motion.

Electronic documents and the storage media on which they reside contain relevant, discoverable information beyond that which may be found in printed documents. Therefore, even where a paper copy exists, I will seek all documents in their electronic form along with information about those documents contained on the media. I also will seek paper printouts of only those documents that contain unique information after they were printed out (such as paper documents containing handwriting, signatures, marginalia, drawings, annotations, highlighting and redactions) along with any paper documents for which no corresponding electronic files exist.

My discovery and/or public records law requests will ask for certain data on the hard disks, floppy disks and backup media used in your computers, some of which data are not readily available to an ordinary computer user, such as "deleted" files and "file fragments." As you may know, although a user may "erase" or "delete" a file all that is really erased is a reference to that file in a table on the hard disk; unless overwritten with new data, a "deleted" file can be as intact on the disk as any "active" file you would see in a directory listing.

Courts have made it clear that all information available on electronic storage media is discoverable, whether readily readable ("active") or "deleted" but recoverable. Accordingly, in the event litigation ensues, electronic data and storage media that may be subject to my discovery and/or public records law requests and that you are obligated to maintain and not alter or destroy, include but are not limited to the following:

All digital or analog electronic files, including "deleted" files and file fragments, stored in machine-readable format on magnetic, optical or other storage media, including without limitation the hard drives or floppy disks used in connection with your computers and their backup media (e.g., other hard drives, backup tapes, floppies, Jaz cartridges, CD-ROMs) or otherwise, whether such files have been reduced to paper printouts or not. More specifically, you are to preserve all of your e-mails related to the Incident, both sent and received, whether internally or externally; all word-processed files related to the Incident, including drafts and revisions; all spreadsheets, including drafts and revisions; all databases related to the Incident; all CAD (computer-aided design) files related to the Incident, including drafts and revisions; all presentation data or slide shows related to the Incident and produced by presentation software (such as Microsoft PowerPoint); all graphs, charts and other data related to the Incident and produced by project management software (such as Microsoft Project); all data related to the Incident generated by calendaring, task management and personal information management (PIM) software (such as Microsoft Outlook or Lotus Notes); all data related to the Incident created with the use of personal data assistants (PDAs), such as Palm Pilot, HP Jornada, Cassiopeia or other Windows CE-based or Pocket PC devices; all data related to the Incident created with the use of document management software; all data related to the Incident created with the use of paper and electronic mail logging and routing software; all Internet and Web-browser-generated history files, caches and "cookies" files related to the Incident and generated at the workstation of each employee and/or agent in your employ and on any and all backup storage media; and any and all other files or recordings related to the Incident and generated by users through the use of recording devices, computers and/or telecommunications, including but not limited to audio and video recordings and voice mail.

You are also not to pack, compress, purge or otherwise dispose of files and parts of files related to the Incident unless a true and correct copy of such files is made.

You are also to preserve and not destroy all passwords, decryption procedures (including, if necessary, the software to decrypt the files); network access codes, ID names, manuals, tutorials, written instructions, decompression or reconstruction software, and any and all other information and things necessary to access, view and (if necessary) reconstruct the electronic data I will request through discovery and/or public records law that relates to the Incident.

You are hereby given further notice that any and all Preserved Information and/ or potential evidence related to this officer-involved shooting incident is to be preserved and not to be destroyed, concealed or altered in any manner whatsoever, and that any ongoing processing of document destruction involving such Preserved Information must cease immediately. In particular, please identify and save all information and records, including but not limited to incident reports, use of force reports, discharge of firearms reports, forensic reports and/or analysis, referrals to Internal Affairs, referrals to Animal Control agencies, statistical reports, or any other written documentation in addition to any photographs of evidence, audio recordings, and/or video recordings related to this incident including but not limited to the following materials:

1. The entire case file pertaining to this incident including any and all recordings made and /or recorded related to this incident.
2. As to Officer Slate/Slater (Badge# 67673), all records pertaining to his discharging a firearm or use of force (including less-lethal, non-lethal) at an animal of any species or breed going back to his first date of employment with the San Diego Police Department.
3. As to Officer Slate/Slater (Badge# 67673), all records pertaining to him discharging a firearm at a human going back to the first date of employment with the San Diego Police Department.
4. All investigative reports, including but not limited to preliminary and final reports, IA/IIU files, Shooting Review Board files, and Use of Force file concerning this incident affiliated with the shooting of Pepper and Danni on July 24, 2014.
5. The entire report submitted by the authority/authorities who investigated the incident and any materials and/or recordings relied upon or referenced in that report which you have not otherwise produced.
6. Any and all incident reports related to and/or representative of this incident.
7. Any and all complaint reports related to and/or representative of this incident.
8. If Pepper's remains are still being preserved, they are not to be destroyed.
9. Any and all records pertaining to the confiscation preservation of Pepper's remains.
10. Any and all records pertaining to any and all analysis performed on Pepper's remains.
11. Any and all records pertaining to the current status and location of Pepper's remains.

12. The equipment maintenance schedule for Officer Slate/Slater (Badge# 67673)'s patrol vehicle dash cam.
13. The maintenance report for Officer Slate/Slater (Badge# 67673)'s patrol vehicle dash cam that was produced from the last maintenance appointment prior to this incident. (the most recent maintenance performed prior to this incident)
14. The maintenance report for Officer Slate/Slater (Badge# 67673)'s patrol vehicle dash cam produced from the first maintenance appointment after this incident. (the first maintenance performed occurring after this incident)
15. The equipment maintenance schedule for Officer Slate/Slater (Badge# 67673)'s camera glasses.
16. The maintenance report for Officer Slate/Slater (Badge# 67673)'s camera glasses that was produced from the last maintenance appointment prior to this incident. (the most recent maintenance performed prior to this incident)
17. The maintenance report for Officer Slate/Slater (Badge# 67673)'s patrol camera glasses produced from the first maintenance appointment after this incident. (the first maintenance performed occurring after this incident)
18. Copies of all audio (i.e. radio traffic, 911 calls) and the corresponding transcripts, within one hour before the shooting to the clearing of any calls involving the shooting of Pepper and Danni.
19. All changes and revisions made to any report submitted as part of this incident.
20. All dash cam or alternate video footage/audio from any and all deputy's/officer's in the vicinity of the shooting from one hour prior to the shooting through clearing of the incident.
21. Any written documentation submitted, or photographs, or video of evidence collected or recorded regarding this incident.
22. The complete CAD log for Officer Slate/Slater (Badge# 67673), for the entire shift of that deputy/officer on the day of the shooting.
23. All searches/logs/returns performed by dispatch in response or relation to the incident involving the shooting of Pepper and Danni.
24. All email or written communications between any San Diego Police Department officer or employee, on the one hand, and any other person, on the other hand (i.e., including officer-to-deputy/communications) as it pertains to the shooting of Pepper and Danni.
25. All email or written communications between any San Diego Police Department officer or employee, on the one hand, and any other Lemon Grove Deputy, on the other hand (i.e., including deputy/officer-to-deputy/officer communications) as it pertains to the shooting of Pepper and Danni.
26. Inventory of Issued Items; Pertaining to, any and all law enforcement and/or government officials and agency vehicles present at any time during the course of the incident between the 7600-7700 block of

Lansing Street on July 24, 2014. All records reflecting the inventory of any and all issued items including but not limited to armor, equipment, tools, uniform, weapons, etc., that was available for use during the course of his/her duties on July 24, 2014 beginning with the start of their shift through clearing of the incident.

27. Inventory of Personal Items; Pertaining to, any and all law enforcement and/or government officials and agency vehicles present at any time during the course of the incident between the 7600-7700 block of Lansing Street on July 24, 2014. All records reflecting the inventory of any and all personally purchased/owned items including but not limited to armor, equipment, tools, weapons, etc., that was available for use during the course of his/her duties on July 24, 2014 beginning with the start of their shift through clearing of the incident.
28. The entire San Diego Police Department set of manual/policies, procedural memos, and procedures in effect on the date of the shooting, including but not limited to all manuals, directives, general and specific orders, and circulars pertaining to use of force in general and additionally specifically regarding the use of force or firearms toward any animal.
29. The full training jacket/list particularly but not limited to training in use of force and firearms, and as pertains to the use of less-lethal and non-lethal tools for Officer Slate/Slater (Badge# 67673), responsible for shooting Pepper and Danni as of July 24, 2014.
30. All records reflecting the inventory of all items issued to Officer Slate/Slater (Badge# 67673) and on his person at the time of the shooting of Pepper and Danni, including uniform, armor, weapons, tools, etc. ., and any or all personally purchased and owned equipment carried or used in his duties on that day.
31. All Use of Force, Shooting Review Board, and Deadly Force Review Board files involving the shooting of a dog by any deputy/officer in the last 10 years of the San Diego Police Department.
32. Any and all records of trainings, programs, counseling and/or other educational programs; and
33. The entire report submitted by the authority who investigated the matter and any materials and/or recordings relied upon or referenced in that report which you have not otherwise produced.
34. **Business Records:** [All documents and information about documents containing backup and/or archive policy and/or procedure, document retention policy, names of backup and/or archive software, names and addresses of any offsite storage provider.]
 - a. All e-mail and information about e-mail (including message contents, header information and logs of e-mail system usage) related to the Incident;
 - b. All databases (including all records and fields and structural information in such databases), containing any reference to and/or information about or related to the Incident;
 - c. All logs of activity (both in paper and electronic formats) on computer systems and networks that have or may have been used to process or store electronic data containing information about or related to the Incident;

- d. All word processing files, including prior drafts, "deleted" files and file fragments, containing information about or related to the Incident;
- e. All files, including prior drafts, "deleted" files and file fragments, containing information from electronic calendars and scheduling programs regarding or related to the Incident; and
- f. All electronic data files, including prior drafts, "deleted" files and file fragments about or related to the Incident.

35. **Online Data Storage on Mainframes and Minicomputers:** With regard to online storage and/or direct access storage devices attached to your mainframe computers and/or minicomputers, you are not to modify or delete any electronic data files, "deleted" files and file fragments existing at the time of this letter's delivery, which meet the definitions set forth in this letter, unless a true and correct copy of each such electronic data file has been made and steps have been taken to assure that such a copy will be preserved until the Statute of Limitations (SOL) to file a personal injury lawsuit have expired and/or throughout the duration of any open and/or pending lawsuits affiliated (directly or indirectly) with this Incident..

36. **Offline Data Storage, Backups and Archives, Floppy Diskettes, Tapes and Other Removable Electronic Media:** With regard to all electronic media used for offline storage, including magnetic tapes and cartridges and other media that, at the time of this letter's delivery, contained any electronic data: You are to stop any activity that may result in the loss of such electronic data, including rotation, destruction, overwriting and/or erasure of such media in whole or in part. This request is intended to cover all removable electronic media used for data storage in connection with your computer systems, including magnetic tapes and cartridges, magneto-optical disks, floppy diskettes and all other media, whether used with personal computers, minicomputers or mainframes or other computers, and whether containing backup and/or archive data sets and other electronic data, for all of your computer systems.

- 21. **Replacement of Data Storage Devices:** You are not to dispose of any electronic data storage devices and/or media that may be replaced due to failure and/or upgrade and/or other reasons that may contain electronic data.
- 22. **Fixed Drives on Stand-Alone Personal Computers and Network Workstations:** With regard to electronic data, which existed on fixed drives attached to stand-alone microcomputers and/or network workstations at the time of this letter's delivery: You are not to alter or erase such electronic data or perform other procedures (such as data compression and disk de-fragmentation or optimization routines) that may impact such data, unless a true and correct copy has been made of such active files and of completely restored versions of such deleted electronic files and file fragments, copies have been made of all directory listings (including hidden files) for all directories and subdirectories containing such files, and arrangements have been made to preserve until the Statute of Limitations (SOL) to file a personal injury lawsuit have expired and/or throughout the duration of any open and/or pending lawsuits affiliated (directly or indirectly) with this Incident.
- 23. **Programs and Utilities:** You are to preserve copies of all application programs and utilities, which may be used to process electronic data covered by this letter.
- 24. **Log of System Modifications:** You are to maintain an activity log to document modifications made to any electronic data processing system that may affect the system's capability to process any electronic data,

regardless of whether such modifications were made by employees, contractors, vendors and/or any other third parties.

25. **Personal Computers Used by Your Employees and/or Their Secretaries and Assistants:** The following steps should immediately be taken in regard to all personal computers used by your employees and/or their secretaries and assistants.

- a. As to fixed drives attached to such computers: a true and correct copy is to be made of all electronic data on such fixed drives relating to the Incident, including all active files and completely restored versions of all deleted electronic files and file fragments, and such copies and listings are to be preserved until this matter reaches its final resolution.
- b. All floppy diskettes, magnetic tapes and cartridges, and other media used in connection with such computers prior to the date of delivery of this letter containing any electronic data relating to the Incident are to be collected and put into storage until the Statute of Limitations (SOL) to file a personal injury lawsuit have expired and/or throughout the duration of any open and/or pending lawsuits affiliated (directly or indirectly) with this Incident.

26. **Evidence Created Subsequent to This Letter:** With regard to electronic data created subsequent to the date of delivery of this letter, relevant evidence is not be destroyed and you are to take whatever steps are appropriate to avoid destruction of evidence.

27. **Preservation and Inspection of the video and/or audio recording from any deputy's/officer's agency vehicle located at the Incident.** The San Diego Police Department is requested and instructed not to edit or alter in any way the video and/or audio recording from any deputy's/officer's agency vehicle located at the Incident, as well as any recorded communications in the possession of any deputy's/officer's on site at this Incident. The same is requested of any other addressee of this letter which may have custody of that recorded information at this time. The San Diego Police Department is requested to allow me an opportunity to inspect these audio and/or video recordings immediately.

All of the information contained in the letter should be preserved until the Statute of Limitations (SOL) to file a personal injury lawsuit have expired and/or throughout the duration of any open and/or pending lawsuits affiliated (directly or indirectly) with this Incident. If you have any questions or your search requires keyword searches, then please contact me via email califdune@yahoo.com or phone 619-315-4139.

If the records are not currently in your possession, please notify me in writing, and provide any and all information about where and with whom the records may be found, requested, viewed or copied, and/or when they will become available to your office.

If you claim the records do not exist, please provide a detailed description of what files were searched if a search was performed, and make available an index of your records.

If any document requested herein has previously been destroyed, you are requested to describe in detail the circumstances of and reasons for such destruction and to produce all documents which relate to either the circumstances or the reasons for such destruction.

In order to assure that your obligation to preserve all records, documents, and things will be met, please forward a copy of this letter to any and all persons and entities with custodial responsibility for the items referred to in this letter.

Thank you in advance for your anticipated attention and co-operation to this request.

Sincerely,

Kenneth Stetler
Phone: 619-315-4139 | Fax: 866-646-3475 | Email: califdune@yahoo.com